

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALLSTATE INSURANCE COMPANY,
ALLSTATE INDEMNITY COMPANY,
ALLSTATE PROPERTY & CASUALTY INSURANCE COMPANY,
AND ALLSTATE FIRE AND CASUALTY INSURANCE COMPANY,

Plaintiffs,

vs.

Civil Action No.: 7:23-cv-07515

GABRIEL DASSA, D.O.,
SUKDEB DATTA, M.D.,
DARRIN KALOS, D.C.,
YELENA SHUBINA, M.D. (a.k.a. "YELENA BOGORAZ"),
DANIEL SCHLUSSELBERG, M.D.,
DASSA ORTHOPEDIC MEDICAL SERVICES, P.C. d/b/a
C\V ORTHOPEDIC,
GARDEN STATE NEURO STIMULATION, LLC,
DATTA ENDOSCOPIC BACK SURGERY & PAIN CENTER, LLC,
ADJUST FOR LIFE CHIROPRACTIC, P.C.,
NEWBURGH PRIMARY CARE, P.C. d/b/a ELITE ORTHOPEDICS,
LEADING EDGE MEDICAL DIAGNOSTIC, P.C.,
ARTHUR KOSTANIAN,
SERGEY DENEVICH,
GENNADI KHODAK (a.k.a. "GENE KHODAK"),
SKAZKA, LLC, and
NIMBLE BUSINESS SOLUTIONS, INC.,

Defendants.

**PROPOSED ORDER GRANTING THE JOINT STIPULATION BETWEEN ALLSTATE
AND THE DEFENDANTS, LEADING EDGE MEDICAL DIAGNOSTIC, P.C. AND
DANIEL SCHLUSSELBERG, M.D. TO STAY CURRENT AND FUTURE
ARBITRATION PROCEEDINGS AND STATE COURT LITIGATION**

Upon consideration of the Plaintiffs, Allstate Insurance Company, Allstate Indemnity Company, Allstate Property and Casualty Insurance Company, and Allstate Fire and Casualty Insurance Company (collectively, "Allstate" and/or "Plaintiffs") and the Defendants, Daniel Schlussselberg, M.D. and Leading Edge Medical Diagnostic, P.C. (collectively, "Defendants")

Joint Stipulation to Stay Current and Future Arbitration Proceedings and State Court Litigation,
IT IS HEREBY:

~~**ORDERED** that all of the Leading Edge Medical Diagnostic, P.C. state court litigation currently pending against Allstate is stayed throughout the pendency of the above-captioned litigation;~~



ORDERED that Leading Edge Medical Diagnostic, P.C. is to refrain from filing any future arbitrations and state court litigation against Allstate throughout the pendency of the above-captioned litigation.

ORDERED that Daniel Schlusberg, M.D. and/or Leading Edge Medical Diagnostic, P.C. shall seek leave of the Court should they at any time in the future seek to withdraw from this stipulation.

ORDERED that Allstate shall reserve the right to file a Motion for Preliminary Injunction, seeking a stay of: (1) all pending No-Fault litigation, and (2) all future No-Fault arbitrations and state court litigation in the event that Daniel Schlusberg, M.D. and/or Leading Edge Medical Diagnostic, P.C. is granted a withdrawal from this stipulation.

SO ORDERED.

Dated: White Plains, New York
August 31, 2023



Philip M. Halpern
United States District Judge